

## Remarks

### I. Status

In the Office Action dated August 27, 2004, the Examiner: (i) objected to the drawings; and (ii) rejected claims 1-23 under 35 U.S.C. 102(e). In this filing, Applicant has amended the drawings; the title; and claims 1, 4, 8, 10, 13, 16-17, and 18.

Claims 1-23 are currently pending.

### II. Objection to Drawings

The Examiner objected to the Drawings as not being presentable. Applicant notes that the Office Action was issued in response to the communication dated March 7, 2001 (i.e., the application as-filed). Applicant filed formal drawings on May 7, 2001.

In a telephone conference regarding this objection, the Examiner clarified that the objection was based on an examination of the informal drawings and confirmed that the formal drawings had finally been added to the official files. The Examiner also asked that the formal drawings be amended to add element names to Figures 1 and 2. Accordingly, Applicant submits substitute (formal) Figures 1 and 2 herewith.

### II. Rejections under 35 U.S.C. 102(e)

#### A. Claims 1-22

The Examiner rejected claims 1-22 under 35 U.S.C. 102(e) as anticipated by U.S. Patent No. 6,721,740 to Skinner et al ("Skinner"). Skinner discloses a method for components of an application to specify an interest in one or more data objects. Skinner, col. 8, lines 13-16. Skinner teaches that:

Interest for a single data object may be expressed explicitly, such as by specifying a unique identifier of the data object such as an object ID or serial number. Interest for a set of data objects may be expressed either explicitly with a set of unique object identifiers, or the interest may be expressed in terms of interest criteria. Each data object comprises one or more data attributes (or variables), and

may further contain one or more metadata attributes. Metadata attributes comprise data or descriptions about a data object or the attributes the data object contains. Interest criteria may include a specific value or range of values for one or more attributes of a data object. *To evaluate whether a data object meets the interest criteria, the criteria is tested against attributes of the data object.*

Skinner, col. 8, lines 55-68 (emphasis added).

Unlike the present invention, the interest criteria in Skinner is limited to assembling conditions on the attributes of the data object. The present invention, in contrast, allows the observer to implement and register criteria based on the attributes of the observer. See Claim 1 (“an observer associated with the subject and adapted to generate configuration information, the configuration information comprising an attribute of the observer”); claim 10 (“the aspect configured to detect information associated with the update message and to selectively communicate an update from the subject to the observer based at least in part upon an attribute of the observer and the detected information”); claim 13 (communicating configuration information from the observer to an aspect, the configuration information comprising an attribute of the observer”); and claim 19 (“communicating configuration information from the observer to an aspect, the configuration information comprising an attribute of the observer”).

This feature of the present invention provides significant advantages. For example, the present invention allows the observer to specify a desired communication rate, which the subject can use to help determine whether the observer is ready to receive updates. As explained in the background section of the above-identified application, one drawback with conventional subject/observer systems is that the subject object controls the message transmission rate. Frequently, an observer object running on a heavily burdened system may not be able handle updates from the subject object at this rate. This drawback can cause a bottleneck at one processor, which can cascade to other processors and cause them to become backed-up as well. Background, pg. 3, lines 3-8.

For at least these reasons, Applicants respectfully submit that claims 1-22 are not anticipated or made obvious by Skinner.

B. Claim 23

The Examiner also rejected claim 23 under 35 U.S.C. 102(e) as anticipated by Skinner. Applicants respectfully traverse.

As previously noted, the interest criteria in Skinner is limited to assembling conditions on the attributes of the data object. Claim 23, in contrast, required the act of “communicating configuration information from the observer object to the aspect object, the configuration information including . . . a desired communication rate indicator.” Accordingly, Applicants respectfully submit that Skinner does not teach or suggest all of the elements in claim 23, as filed.

III. Miscellaneous Amendments


Applicant has amended the application’s Title to be more descriptive. Applicant has also amended claims 4 and 16-17 to reflect the changes to claims 1 and 13; claims 8 and 23 to correct minor typographical errors; and claim 10 to provide antecedent basis for “the subject code segment.” Applicant respectfully submits that none of these changes adds new matter or alters the scope of the claims.

**IV. Conclusion**

Applicant believes that the present application is now in condition for allowance and respectfully requests allowance of each of the pending claims. Applicant also invites the Examiner to call Applicant's attorney at the number listed below if the Examiner believes that a telephone interview would be helpful in expediting allowance of the present application.

Date: December 27, 2004

Respectfully submitted,

By   
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**CERTIFICATE OF MAILING UNDER  
37 C.F.R. 1.8(a)**

I hereby certify that the enclosed or attached correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
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